

Home (195/48) Department.

162 SERIES.

G.O. No. 4648

Dated 17.12.48

[Despatch Abstract.]

Passport - Penang Settlement - Passport Regulation -
1948 - Recorded

GOVERNMENT OF MADRAS.

ABSTRACT.

PASSPORT - Penang Settlement - Passport Regulations,
1948 - Recorded.

HOME DEPARTMENT

G.O.Ms.No. 4648

Dated the 17th
December 1948.

Read the following:--

G.O. No. 1920, (Home), dated the
29th May 1948.
From the Government of India, Ministry
of External Affairs and Commonwealth
Relations No. F.13 (2)-PVI/48, dated
the 9th December 1948.

A copy of the undermentioned paper is forwarded for
information to the Home Secretary to the Government of Madras
in continuation of the Memorandum from the Government of India
in the Ministry of External Affairs and Commonwealth Relations
No. F. 26-P/47, dated 12th May 1948.

Passport (Settlement of Penang) Regulations, 1948.

THE PASSPORTS ORDINANCE OF THE STRAITS
SETTLEMENTS (CAP.94.)

The Passport (Settlement of Penang)
Regulations, 1948.

No. 1365.- In exercise of the powers conferred by section 2
of the Passports Ordinance of the Straits Settlements,
and vested in him by section 87 of the Malayan Union
Order in Council, 1946, the Governor hereby
makes the following regulations:

1. (1) These regulations may be cited as the
Passport (Settlement of Penang)
Regulations, 1948, and shall come into
force on the date of publication in the
gazette.

(2) These regulations shall have effect
within the Settlement of Penang.

2. In these regulations, unless the context otherwise
requires:--

"Malaya" means the territories comprising the
Colony of Singapore and the Malayan Union.

"Malayan Union" means the territories comprised
within the Malayan Union established by the
Malayan Union Order in Council, 1946;

"alien" means any person not being either
a British subject or a British protected
person;

"Boarding Officer" means any person holding
the appointment of boarding officer in the
Marine Department of the Settlement of
Penang;

"Immigration Officer" includes a Deputy Immigration Officer, an Assistant Immigration Officer or any person appointed by the Governor for the purpose of carrying out the provisions of the Aliens Ordinance;

S.S. Chapter 90 "Immigration Laws, Regulations and Rules" means the Aliens Ordinance and the Passengers Restriction Ordinance and include any regulations or rules made thereunder;

93 "the Settlement" means the Settlement of Penang.

3. (1) Subject to sub-regulation 2 of this regulation no person coming from any place outside Malaya shall enter the settlement unless he produces--

- (a) A valid passport which has been issued or renewed to him before his arrival in the settlement by or on behalf of the Government of which he is a subject or citizens; or
- (b) a valid travel document recognised by any International Agreement and issued or renewed to him by a proper Authority; or
- (c) a valid Certificate of identity issued to him on the Authority of the immigration officer, Singapore, or by or on the Authority of the Controller of Immigration Malayan Union;

and in the case of an alien, unless such passport, travel document or Certificate of Identity has been visaed for the Colony of Singapore or the Malayan, Union, if a visa is necessary, by a competent British Authority.

(2) The provisions of this regulation shall not apply to:--

- (a) any person who is a member of His Majesty's Armed Forces entering Malaya on duty or to the members of the family of any such person accompanying him on such duty to Malaya;
- (b) any person whose age does not exceed fifteen years, provided that his name is endorsed on and he is accompanying an adult in possession of a valid passport, travel document or Certificate of Identity and such endorsement has been authorised by the authority issuing such passport, travel document or Certificate of Identity.
- (c) any officer or seaman on the articles of any ship;
- (d) bona fide Muslim pilgrims domiciled in Malaya returning from Saudi Arabia;

S.S. Chapter 90 (e) any person in possession of a valid Certificate of Residence or a valid Certificate of Admission issued in the Malayan Union when travelling on a direct journey from China, Siam, Netherlands East Indies, North Borneo, Sarawak or Brunei to Malaya. *under the Alien Ordinance and issued*

P.T.O.

SP/29.5. 4. (1) The visa referred to in these regulations will

unless other-wise stated, be valid for any number journeys taken within the period of its validity and will not be required in the case of persons in transit who desire to land ~~on~~ temporarily while their vessel is in port.

(2) Any Person who is permitted to land whose visa specifically limits his stay in Malaya to a certain period of time and who fails to leave Malaya to a certain place outside Malaya within such time shall be guilty of an offence under these regulations.

5. Every passport, Certificate of Identity or travel document shall state the name and nationality of the person to whom it relates and shall contain his photograph so affixed as to obviate the possibility of its removal and the substitution of another; provided that the Immigration officer may in any case or cases and subject to such conditions as he may think fit to impose dispense in writing with the need for the certificate to contain a photograph.

6. Any person who:--

(a) forges or alters any passport or Certificates of Identity or travel document whether issued or purporting to be issued in the Colony of Singapore, the Malayan Union, or elsewhere, or any visa of endorsement thereon, or without lawful authority uses, attempts to use or has in his possession any passport or Certificate of Identity or travel document which has been so forged or altered, or bearing a visa or endorsement which has been so forged or altered; or

(b) personates or falsely represents himself to be or not to be a person to whom a passport or Certificate of Identity or travel document whether issued in the Colony of Singapore, the Malayan Union, or elsewhere, has been duly issued or, with intent to obtain a passport or certificate of identity or travel document or any visa or endorsement thereon, knowingly makes any false statement; or

(c) allows any person to have possession any passport travel document or certificate of Identity issued for his use alone, intending or knowing that such document may be used or may be attempted to be used by any other person, or without lawful authority has in his possession any passport or travel document or Certificate of Identity issued for the use of some person other than himself;

shall be guilty of an offence against these regulations;

7. Any person guilty of an offence against these regulations shall be liable on conviction to imprisonment of either description for a term which may extend to six months or to a fine not exceeding five hundred dollars or to both imprisonment and fine.

8. Any person who attempts to commit or abets or attempts to abet the commission of any offence punishable under these regulations shall be punishable in like manner as if he had committed the offence.

9. Nothing in these regulations shall be construed in diminution of any powers, conferred by any other written law affecting the entry and landing of persons in the Settlements or elsewhere in the Malayan Union.

10. Any person who enters or attempts to enter or is reasonable suspected of having entered the settlement in contravention of these regulations may be taken, into custody by any immigration officer, boarding officer or police officer.

11. The Passport regulations, 1934 ~~are~~ are year by year revoked in so far as they apply to the settlement.

Made at Kuala Lumpur, this 27th day of
January, 1948.

(By Order of His Excellency the Governor)

By His Excellency's Command.

O R D E R

Recorded.

(By order of His Excellency the Governor)

P.M. NAYAK,

Deputy Secretary to Government.

To
All District Magistrates.
The Commissioner of Police, Madras.
The Superintendent of Police,
Special Branch, C.I.D., M A D R A S.

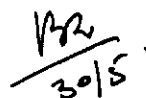
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SP/29.5.

Madras Record Office.


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